

JUDGE JOHN C. COUGHENOUR

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

JASON CORY PROUT,)

Defendant.)

NO. CR05-222C

**STIPULATION AND ORDER
CONTINUING TRIAL DATE**

Plaintiff United States of America and defendant JASON CORY PROUT, by and through their respective undersigned counsel of record, hereby stipulate and agree to continue the trial date for defendant PROUT from October 17, 2005, to November 14, 2005. This continuance is requested, and required in the interest of justice, for the following reasons.

This case involves the alleged smuggling of ephedrine and ecstasy tablets from British Columbia, Canada into the United States in pallets of grass seed. The government's investigation is ongoing. The parties have been engaged in serious plea negotiations, which we expect will result in the disposition of this cause without the need for a trial. However, defense counsel for PROUT will be out of the country from September 20, 2005, through October 7, 2005, and it will not be possible to enter a plea prior to September 20. One of the remaining defendants has already entered a guilty plea, and the government believes that the two remaining defendants (other than PROUT) will resolve their cases prior to the current trial date of October 17, 2005. In order to give

PROUT and the government sufficient time to resolve the few remaining issues once counsel returns, the parties request a continuance of approximately three weeks. There has been one prior continuance. Defendant PROUT will file a Waiver of Speedy Trial through November 21, 2005.

DATED this ____ day of September, 2005.

RICHARD J. TROBERMAN, P.S.

By: _____
RICHARD J. TROBERMAN
WSBA #6379
Attorney for Defendant
Jason Cory Prout

JOHN McKAY
United States Attorney

By: _____
MIKE LANG
Assistant U.S. Attorney

ORDER

Based upon the above stipulation of the parties, and for the reasons set forth therein, the Court finds that, pursuant to 18 U.S.C. §§3161(h)(8)(A), (B)(i) and (ii), the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial, and that the period of delay resulting from this continuance shall be excluded in computing the time within which the trial of this matter must commence. Accordingly,

IT IS HEREBY ORDERED that, subject to defendant PROUT filing A Waiver of Speedy Trial, the trial date for defendant PROUT is continued from October 17, 2005, to November 14, 2005.

DATED this 23rd day of September, 2005.

A handwritten signature in black ink, appearing to read "John C. Capron", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE